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COLLEGE OF LAW

Law Faculty

Robert A. Garda

Fanny Edith Winn Distinguished Professor of Law

June 9, 2016

State of Louisiana
Department of State Civil Service
Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821

RE: Ethics Board Docket No. 2016-325

To Whom it May Concern:

By letter dated May 23, 2016, the Board of Ethics permitted Bricolage Academy to hire Erin Densen, the wife of the Executive Director Josh Densen, as a classroom teacher. It further required that the Bricolage Academy Board of Directors confect a disqualification plan. The Bricolage Board of Directors passed the attached Disqualification Plan at its June 8, 2016 board meeting and submits it for approval by the Board of Ethics.

Hiring Erin Densen will have little impact on the efficient operation of Bricolage Academy because her hire requires only minimal change to current practices and policies. The Disqualification Plan disqualifies Josh Densen from all decisions regarding his wife and vests the Lower School Director with exclusive supervisory and managerial authority over her. The Lower School Director already has exclusive control, supervision and management responsibilities over classroom teachers. Josh Densen does not provide any input on these matters except at the invitation and request of the Lower School Director. This is the only supervisory and managerial practice that will change with respect to Erin under the Disqualification Plan. There will also be no impact on the process for salary determinations because Bricolage Academy utilizes a lock-step salary structure which eliminates discretion in setting initial salary and awarding raises. Because the Disqualification Plan changes little about current processes and the job responsibilities of school administrators, it will have minimal impact on the operation of Bricolage Academy.

If the Board of Ethics needs any further information from the Bricolage Academy Board of Directors or from Josh Densen, please do not hesitate to contact us. We look forward to your decision regarding the Disqualification Plan.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Garda', written in a cursive style.

Robert Garda
Secretary, Bricolage Academy Board of Directors

cc: Josh Densen, Executive Director of Bricolage Academy
Michael Higgins, counsel for Bricolage Academy
Alan Philipson, Chair, Bricolage Academy Board of Directors

Bricolage Academy Disqualification Plan
Re: Josh Densen

Pursuant to Chapter 14 of the Administrative Rule for the Board of Ethics and La. Rev. Stat. 42:1112C, the Bricolage Academy Board of Directors implements the following Disqualification Plan removing Josh Densen from any responsibility regarding the hiring, supervision and management of Erin Densen's employment at Bricolage Academy.

Be it resolved that

Josh Densen will have no supervisory or managerial authority over Erin Densen and no input into decisions regarding her retention, salary, discipline or any matters related to her employment at Bricolage Academy.

Specifically:

- 1) Josh Densen is disqualified from all supervisory duties and/or evaluative authority regarding the employment of Erin Densen. The Lower School Director will have all supervisory duties and/or authority as to any matters affecting Erin Densen's employment, including but not limited to: observations, evaluations, discipline, termination, teaching responsibilities and assignment.
- 2) Josh Densen is disqualified from all salary determinations related to Erin Densen. The Lower School Director will determine Erin Densen's initial compensation, and any changes in her compensation will be determined and approved exclusively by the Lower School Director. Erin Densen will be compensated at the same level as any other teacher with similar background and experience doing similar work.
- 3) Josh Densen will not interfere, influence, or attempt to influence any evaluation or decision the Lower School Director, or any subordinate personnel, makes regarding Erin Densen. Should a question of Erin Densen's performance, including discipline, arise, Josh Densen will not interfere, influence, or attempt to influence the resolution of any such issue. The prohibition against influencing or attempting to influence anyone includes, but is not limited to, any direct or implied promise of reward or favor or a direct or implied threat of punishment, in order to affect any matters relating to the supervision and management of Erin Densen.
- 4) Any employment decisions made by Josh Densen regarding the Lower School Director cannot be based on, or take into consideration, the Lower School Director's supervision, management and evaluation of Erin Densen.

Any violations of this policy will be reported to the Board of Ethics.